

**GOVERNMENT OF ANDHRA PRADESH**

**ABSTRACT**

AH,DD & F Department – C.A.No.881/2013 filed by Sri P.Satyam S/o Venkati, Attender, Srikakulam for non-implementation of the Orders of APAT dated 6-12-2012 in OA No.5984/2002 – Implementation of Orders of APAT - Orders - Issued.

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**ANIMAL HUSBANDRY, DAIRY DEVELOPMENT & FISHERIES (AH.II) DEPARTMENT**

**G.O.Rt. No. 449**

**Dt. 04-11-2013**

**Read the following:-**

1. G.O.Ms.No. 349, General Administration (Ser.A) Department, Dt.12-6-1985.
2. G.O.Ms.No. 565, General Administration (Ser.A) Department, Dt.24-10-1992.
3. G.O.Rt.No.356, AHDD&F (AH-II) Department, dated 14-07-2009.
4. The Orders of APAT dated 6-12-2012 in OA No.5984/2002.
5. From the Director of Animal Husbandry Lr.No.1086/BV/B6/2013,dt 25-02-2013 and 30-10-2013.
6. From the orders dated 9-10-2013 of APAT in C.A.No.881/2013 in OA No.5984/2002.

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**ORDER:**

Sri P.Satyam, S/o.Venkati, Srikakulam has been appointed as Attender with an educational qualification of 4<sup>th</sup> class under Compassionate grounds on retirement of his father on medical invalidation grounds and posted to RLU, Panasalavalsa, Srikakulam district by the Joint Director(AH), Srikakulam vide Proc Roc No.1331/B/1995, dt 20-7-1995 and subsequently the Joint Director(AH), Srikakulam has submitted the proposals to Director of Animal Husbandry for relaxation of Qualification. The Director of Animal Husbandry has rejected the proposal. Consequently, the Joint Director(AH), Srikakulam terminated the services of Sri P.Satyam S/o Venkati, Attender w.e.f. 20-05-2002 vide Proc.Roc.No.1194/B/2001, dated.09.05.2002.

2. Aggrieved by the said termination orders, the individual filed a OA (No.5984/2002) before the APAT. The APAT, Hyderabad has passed interim orders on 25-06-2002 in OA No.5984/2002, that “pending further orders, the respondent are directed to continue the applicant in the same post, if he is not relieved already”. The department has filed a counter affidavit along with VMA for vacating the interim orders duly submitting the facts that the applicant has already been terminated from service w.e.f. 20-05-2002 i.e., before passing the interim Orders by Hon’ble APAT, Hyderabad. The Hon’ble APAT has dismissed the said O.A. on 06-07-2006 on the grounds of no representation from the applicant and also vacated the interim orders passed on 25-06-2002 in O.A. No.5984 of 2002.

3. Later on, Sri P.Satyam acquired 7<sup>th</sup> class qualification during the year 2005 and requested the Director of Animal Husbandry to reinstate him into services. However, the Director of Animal Husbandry has rejected the representation of the individual vide their office Memo.L.Dis.No.6078/BV/B6/2010, dated:12-08-2010 as the case is time barred i.e. 8 years lapsed.

4. Thereafter, the petitioner filed a M.A.No.2547/2012 before the APAT for restoration of O.A.No.5984/2002. While restoring the O.A., the Hon’ble APAT in its order dated 6-12-2012 in O.A.(No.5984/2002) 4<sup>th</sup> read above, set-aside the impugned termination order in Proceeding RoC. No. 1194/B/1999, Dt.9-05-2002 and directed the respondents to exercise the power of relaxation to relax the relevant rule of possession of academic qualification contained in G.O.Ms.No.349, Dt.12-06-1986 and G.O.Ms.No.565, dt:24-10-1992 in case of the applicant also as was done in the case of Smt.I.Saraswathi, Office Subordinate, R.L.U., Urlam. However the intervening period from the date of termination to the date of reinstatement shall be regularized against the eligible leave and in the absences of any leave, the same should be treated in accordance with the rules.

(p.t.o)

5. In the reference 5<sup>th</sup> read above, the Director of Animal Husbandry, among other things, has requested the Government to issue suitable instructions in the matter to take further action in the matter.

6. As the matter stood thus, the individual has filed CA No. 881/2013 in O.A.No.5984/2012 before the APAT for not implementing the orders of the APAT in O.A. No.5984/2002, dated 06-12-2012.

7. The Government have examined the matter in detail and found that the case of Sri P.Satyam is similar to that of the case of Smt.I.Saraswathi, Attender in whose favour Government relaxed the Educational Qualification through the G.O.3<sup>rd</sup> read above.

8. In the circumstances stated above and also on the analogy of the orders issued in the G.O.3<sup>rd</sup> read above, Government hereby accord permission to Director of Animal Husbandry to reinstate Sri P.Satyam, S/o.Venkati, Srikakulam into service as Attender with immediate effect in relaxation of the requisite qualification for the post of Attender as mentioned in the G.O.1<sup>st</sup> read above read with instructions issued in the G.O. 2<sup>nd</sup> read above. The intervening period between the termination of service (i.e.20-05-2002) and the date of reinstatement shall be treated as leave to which the individual is eligible and if no leave is available to his credit, it would be dealt with in accordance with the rules.

9. The Director of Animal Husbandry, Hyderabad shall take necessary further action accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**Dr. MANMOHAN SINGH  
PRINCIPAL SECRETARY TO GOVERNMENT**

To  
The Director of Animal Husbandry, Hyderabad  
To the individual through the Director of Animal Husbandry, Hyderabad.  
Copy to:  
The Joint Director, Srikakulam District.  
The Government Pleader (AH), APAT, Hyderabad  
SF/SC

**//FORWARDED BY ORDER//**

**SECTION OFFICER**